

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) **Case No.** 14-23154-CMB
Francis M. Machi, Jr., aka,)
Frank M. Machi,) **Chapter 11**
Debtor,)
Jeffrey J. Sikirica, Trustee,) **Related Document No.** 661-660
Movant,) **Hearing Date:** 11/08/18 at 2:30 pm
vs.) **Response Due:** 10/26/18
Mark Machi, City of Pittsburgh, Treasurer City)
of Pittsburgh, Treasurer School District of)
Pittsburgh, Treasurer of County of Allegheny,)
Jordan Tax Service, Inc., Pittsburgh Water &)
Sewer Authority, City of Pittsburgh, Wells)
Fargo, NA and Gerald Laychak,)
Respondents.) **Document No.**

**LIMITED RESPONSE TO THE MOTION FOR ORDER APPROVING SALE OF REAL
PROPERTY FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES**
**PURSUANT TO 11 U.S.C. §§ 105 AND 363 AND F.R.B.P. NOS. 2002 AND 6004 AND
W.PA.LBR 6004-1 AND 9013-3**

AND NOW, comes Calaiaro Valencik and David Z. Valencik, and presents the following:

1. Calaiaro Valencik has an allowed administrative claim in this Chapter 11 case which was approved by this Court on March 30, 2016.
2. Calaiaro Valencik previously agreed to a partial payment of the allowed administrative claim, with the remainder of the payment to come from future sales of assets.
3. To date, the claim of Calaiaro Valencik has not been paid in full.
4. Calaiaro Valencik does not wish to stop the sale of this asset.
5. Calaiaro Valencik requests that all allowed administrative claims be paid at the closing from the proceeds.

WHEREFORE, the Respondent requests that this Honorable Court enter an Order requiring all allowed administrative claims to be paid at the closing from the proceeds.

Respectfully Submitted,

DATE: October 26, 2018

BY: /s/ Donald R. Calaiaro
Donald R. Calaiaro, Esquire, PA I.D. #27538
dcalaiaro@c-vlaw.com
BY: /s/ David Z. Valencik
David Z. Valencik, Esquire, PA I.D. #308361
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CALAIARO VALENCIK
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(412) 232-0930

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IN RE:

Francis M. Machi, Jr., aka,
Frank M. Machi,
Debtor,
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vs.
Mark Machi, City of Pittsburgh, Treasurer City
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**CERTIFICATE OF SERVICE OF THE RESPONSE TO THE MOTION FOR ORDER
APPROVING SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS, CLAIMS
AND ENCUMBRANCES PURSUANT TO 11 U.S.C. §§ 105 AND 363 AND F.R.B.P.
NOS. 2002 AND 6004 AND W.PA.LBR 6004-1 AND 9013-3**

I certify under penalty of perjury that I served the above captioned Order on the parties at the addresses specified below or on the attached list on October 26, 2018.

Peter J. Ashcroft; pashcroft@bernsteinlaw.com, ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com
Erin P. Dyer; erindyer@wvlegalcounsel.com
Norman E. Gilkey; ngilkey@bccz.com
Jeffrey R. Hunt; jhunt@grblaw.com, cnoroski@grblaw.com
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Office of the United States Trustee; ustpregion03.pi.ecf@usdoj.gov
James A. Prostko; pawb@fedphe.com, james.prostko@phelanhallinan.com
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Joseph S. Sisca; joseph.s.sisca@usdoj.gov

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) were: Electronic Notification.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification," and those served by mail will be listed under the heading "Service by First-Class Mail."

EXECUTED ON: October 26, 2018

/s/ Donald R. Calaiaro

Donald R. Calaiaro, Esquire, PA I.D. #27538

dcalaiaro@c-vlaw.com

/s/ David Z. Valencik

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